

COPY

BY:
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

11 MAR -4 AM 10:52

FILED

1 ANDRÉ BIROTTÉ JR.
United States Attorney
2 ROBERT E. DUGDALE
Assistant United States Attorney
3 Chief, Criminal Division
STEVEN R. WELK
4 Assistant United States Attorney
Chief, Asset Forfeiture Section
5 P. GREG PARHAM
Assistant United States Attorney
6 Asset Forfeiture Section
California Bar No. 140310
7 Federal Courthouse, 14th Floor
312 North Spring Street
8 Los Angeles, California 90012
Telephone: (213) 894-6528
9 Facsimile: (213) 894-7177
E-mail: greg.parham@usdoj.gov
10
11 Attorneys for Plaintiff
United States of America

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 SOUTHERN DIVISION

15 UNITED STATES OF AMERICA,)
16)
17 Plaintiff,)
18 v.)
19 ASSORTED MARIJUANA GROW)
EQUIPMENT,)
20 Defendants.)
21 _____)

SACV11-00357 JVS (RNBx)
NO. SA CV

VERIFIED
COMPLAINT FOR FORFEITURE
[21 U.S.C. § 881(a)(2)]
[D.E.A.]

22
23
24 The United States of America brings this claim against
25 Assorted Marijuana Grow Equipment, and alleges as follows:

26 JURISDICTION AND VENUE

27 1. This is a civil in rem forfeiture action pursuant to 21
28 U.S.C. § 881(a)(2).

2. This court has jurisdiction over the matter under 28 U.S.C. §§ 1345 and 1335.

3. Venue lies in this district pursuant to 28 U.S.C. § 1395.

INTERESTED PERSONS AND ENTITIES

4. The plaintiff is the United States of America.

5. The interest of Tyler C. Hendricks ("Hendricks") may be adversely affected by these proceedings.

6. The defendants are assorted marijuana grow equipment, described as follows:

- a. (18) grow spinner systems;
- b. (1) electric trimming machine;
- c. (2) light hoods with 1,000 watt bulbs;
- d. (1) motor for track lighting;
- e. (2) centrifugal ceiling fans;
- f. (1) filter with fan;
- g. (12) 400 watt MH bulbs;
- h. (14) 600 watt HP sodium bulbs;
- i. (9) fluorescent ballasts;
- j. (1) flood light with bulb;
- k. (6) 600 watt HPS bulbs;
- l. (1) food saver sealer;
- m. (1) C02 generator;
- n. (3) portable air conditioners;
- o. (5) air controllers;
- p. (9) flipbox 120 volt ballast slaves;
- q. (1) fan controller;
- r. (2) PH meters;
- s. (4) thermometers:

1 t. (10) timers;
2 u. (3) water pumps;
3 v. (9) 600/400 watt ballasts;
4 w. (2) 1,000 watt ballasts; and
5 x. (3) 600 watt HPS ballasts.

6 7. The above listed equipment, valued at approximately
7 \$58,868.51, will be collectively referred to hereafter as the
8 "defendant equipment."

9 8. Plaintiff alleges that the above-referenced defendant
10 equipment was used, or intended for use, in manufacturing,
11 compounding, processing, delivering, importing, or exporting any
12 controlled substance in violation of 21 U.S.C. §§ 841 and 846,
13 rendering it subject to forfeiture pursuant to 21 U.S.C.
14 § 881(a)(2).

15 9. The above-referenced defendant equipment was seized
16 during the course of a criminal investigation conducted by the
17 Huntington Beach Police Department (hereinafter "HBPD") and the
18 Drug Enforcement Administration (hereinafter "DEA"), and is
19 currently in the custody of the U.S. Marshals Service, where it
20 shall remain subject to this court's jurisdiction during the
21 pendency of this action.

22 FACTS SUPPORTING FORFEITURE

23 10. Prior to September 23, 2010, the DEA received
24 information from a citizen who wished to remain anonymous that
25 there was an indoor marijuana grow operation being conducted by
26 Hendricks at a business location on Slater Avenue in Huntington
27 Beach, California (the "grow location"). Southern California
28 Edison records disclosed that the electrical utilities for the

1 grow location were paid from an account in Hendricks' name for a
2 business named "Grow Green." The utility records also revealed
3 an unusually high level of electricity usage for that type of
4 structure, which is consistent with the operation of an indoor
5 marijuana grow facility.

6 11. A review of the exterior of the grow location revealed
7 that it was a commercial building with blacked out windows and a
8 large air conditioner located outside the structure (and the only
9 unit within the business complex that had a large air conditioner
10 outside the structure). Indoor marijuana grow operations require
11 air conditioners to regulate the temperature that is needed to
12 optimally grow marijuana.

13 12. A public records search revealed that Hendricks had
14 been involved in "wholesale hydroponics" and an internet business
15 called wholesalehydrostore.com.

16 13. On September 22, 2010, a trained narcotic detecting
17 canine ("Buddy") was deployed to sniff the exterior of the grow
18 location. As Buddy sniffed around the edges of the closed garage
19 door, he gave a positive alert, suggesting that the grow location
20 contained items emitting one of the narcotic odors he was trained
21 to detect.

22 14. On September 22, 2010, officers obtained a state search
23 warrant for the grow location.

24 15. On September 23, 2010, at approximately 10:00 a.m., DEA
25 special agents and HBPD officers (collectively referred to
26 hereafter as "officers") conducted surveillance at the grow
27 location and observed Hope Hendricks ("Hope"), who is the mother
28 of Hendricks, leave the grow location and depart in a gold Lexus.

1 16. At approximately 12:00 p.m., Hendricks arrived at the
2 grow location in a gray Jeep. Officers approached Hendricks at
3 his vehicle and spoke to him prior to entering the grow location.

4 17. At approximately 12:39 p.m., officers presented the
5 search warrant to Hendricks and conducted an interview with him
6 after he waived his Miranda rights. Hendricks stated that he had
7 been at the location for about 5 months and paid \$1,200 per month
8 rent. He stated that he worked approximately 14 hours per day
9 with no additional employees (other than his mother who helped
10 clean the cultivation site and did small chores). Hendricks said
11 that he sold marijuana to five marijuana dispensaries that he
12 believed had 100 to 1,000 members each. He added that he had
13 just sold two pounds of marijuana to a dispensary for \$1,800 per
14 pound, which he said came from his first crop (which he also
15 claimed was a bad one). Hendricks said that he projected making
16 a salary of \$3,000 per month and would employ additional workers
17 when his cultivation operation was established. He stated that
18 he spent \$60,000 to \$70,000 for the marijuana grow equipment.
19 Hendricks said that he had more marijuana in his Costa Mesa
20 residence for personal use. Hendricks was not arrested at the
21 time of the search.

22 18. At approximately 12:40 p.m., officers entered the grow
23 location and observed a small room and a large warehouse space,
24 entirely devoted to the cultivation of marijuana. During the
25 search, officers observed numerous marijuana plants being
26 cultivated, in various stages of development. In total, officers
27 seized approximately 672 marijuana plants. In addition, officers
28 seized processed marijuana with a total weight of approximately

1 7.42 kilograms. The defendant equipment, found throughout the
2 grow location, and being utilized in various stages of marijuana
3 cultivation and processing, was also seized.

4 19. The following paperwork was collected during the
5 execution of the search warrant at the grow location:

6 a. A manila folder containing an application for a
7 seller's permit for the "Grow Green Collective."

8 b. A manila folder containing notes on how to operate
9 a large indoor marijuana grow operation.

10 c. An application for a business license, listing a
11 detailed description of the business activity as "Wholesale
12 Manufacturing and Nursery Products."

13 d. A red book containing the names of the members of
14 Hendricks' "collective." The notebook contained a Marijuana
15 Medicine Evaluation Center folder and the pictures and names of
16 eight individuals. One of the individuals had a contract signed
17 with Hendricks. The remaining seven individuals had physician
18 statements recommending marijuana use.

19 e. A pamphlet detailing the medical marijuana laws in
20 the state of California, as well as Federal law. In the pamphlet
21 it states "California laws provide for limited immunity from
22 arrest and criminal prosecution." The pamphlet also states that
23 a "primary patient or care giver may maintain no more than six
24 mature marijuana plants or twelve immature marijuana plants per
25 patient."

26 f. A manila folder with a document titled "business
27 plan," stating that "profits aren't everything, they're the only
28 thing."

1 g. Various notebooks tracking the growth of the
2 marijuana plants.

3 h. A contract entitled "Tyler Hendricks Cultivator
4 Agreement," containing the following: "Both Contractor and
5 Collective acknowledge that the cultivation of any amount of
6 marijuana is illegal under FEDERAL LAW"

7 20. A brief review of the computer belonging to Hendricks
8 revealed a "Grow Room Investor Proposal," detailing the amount of
9 money to invest as well as the return to expect when investing in
10 the Spinner Systems that Hendricks had in use at the grow
11 location. The proposal stated that risks are "lower than they
12 have ever been." The proposal also outlined the medical
13 marijuana laws, referencing a six or twelve plant maximum per
14 patient. The proposal noted the risks involved in that type of
15 investment, namely a law enforcement raid. The proposal went on
16 to advise investors to keep the "grow room under the radar." The
17 computer also contained numerous pictures of marijuana plant
18 clones.

19 21. On September 23, 2010, officers also obtained and
20 executed a state search warrant at Hendricks' residence in Costa
21 Mesa, California. The search was conducted at approximately 6:05
22 p.m. During the search, officers seized approximately 1.8
23 kilograms of processed marijuana.

24 22. On September 23, 2010, at approximately 6:46 p.m.,
25 following the execution of the search warrant at the grow
26 location, officers interviewed Hendricks' mother, Hope, over the
27 telephone. During the interview, Hope stated that she had helped
28 her son with various chores in the marijuana cultivation

1 operation. Hope stated that a person named Shane (whose last
2 name she did not know) came into the grow location, sold her son
3 marijuana plants (both large and small), and looked around. She
4 said that her son only sold marijuana a couple of times.

5 23. Based upon the facts set out herein, plaintiff alleges
6 that the defendant equipment was used, or intended for use, in
7 manufacturing, compounding, processing, delivering, importing, or
8 exporting any controlled substance in violation of 21 U.S.C.
9 §§ 841 and 846, rendering the defendants subject to forfeiture to
0 the United States pursuant to 21 U.S.C. § 881(a)(2).

11 WHEREFORE, plaintiff United States of America prays that due
12 process issue to enforce the forfeiture of the defendants; that
13 due notice be given to all interested parties to appear and show
14 cause why forfeiture should not be decreed; that the Court decree
15 forfeiture of the defendants to the plaintiff for disposition
16 according to law; that the Court award plaintiff its costs of
17 suit; and that the Court issue such other and further relief as
18 the Court may deem just or proper.

19 DATE: March 3, 2011 ANDRÉ BIROTE JR.
20 United States Attorney
21 ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division
22 STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

F. Greg Parkham

P. GREG PARHAM
Assistant United States Attorney
Asset Forfeiture Section

Attorneys for Plaintiff
United States of America

VERIFICATION

I, Scott B. Flanigan, hereby declare that:

3 1. I am a Special Agent with the Drug Enforcement
4 Administration and am the case agent for the forfeiture matter
5 entitled United States of America v. Assorted Marijuana Grow
6 Equipment.

7 2. I have read the above Complaint for Forfeiture In Rem
8 and know its contents. It is based upon my own personal
9 knowledge and reports provided to me by other agents.

10 3. Everything contained in the Complaint is true and
11 correct, to the best of my knowledge and belief.

12 I declare under penalty of perjury that the foregoing is
13 true and correct.

14 Executed March 3, 2011 in Los Angeles, California.



Scott B. Flanigan

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

<p>I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) United States of America</p> <p>(b) County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases):</p>	<p>DEFENDANTS Assorted Marijuana Grow Equipment</p> <p>County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): Los Angeles</p>																														
<p>(c) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) P. Greg Parham, Assistant United States Attorney 1400 United States Courthouse, 312 North Spring Street Los Angeles, California 90012 Telephone (213) 894-6528</p>	<p>Attorneys (If Known)</p>																														
<p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"><input checked="" type="checkbox"/> 1 U.S. Government Plaintiff</td> <td style="width: 25%;"><input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</td> <td style="width: 25%;"><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</td> <td style="width: 25%;">III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)</td> </tr> <tr> <td><input type="checkbox"/> 2 U.S. Government Defendant</td> <td colspan="3"></td> </tr> </table>		<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)	<input type="checkbox"/> 2 U.S. Government Defendant																									
<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)																												
<input type="checkbox"/> 2 U.S. Government Defendant																															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"><input checked="" type="checkbox"/> Citizen of This State</td> <td style="width: 25%; text-align: center;">PTF DEF</td> <td style="width: 25%; text-align: right;">PTF DEF</td> </tr> <tr> <td><input type="checkbox"/> Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="text-align: right;"><input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td><input type="checkbox"/> Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 2 <input type="checkbox"/> 2</td> <td style="text-align: right;"><input type="checkbox"/> 5 <input type="checkbox"/> 5</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td style="text-align: right;"><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> <tr> <td></td> <td colspan="2" style="text-align: center;">Incorporated or Principal Place of Business in this State</td> </tr> <tr> <td></td> <td colspan="2" style="text-align: center;">Incorporated and Principal Place of Business in Another State</td> </tr> <tr> <td></td> <td colspan="2" style="text-align: center;">Foreign Nation</td> </tr> </table>		<input checked="" type="checkbox"/> Citizen of This State	PTF DEF	PTF DEF	<input type="checkbox"/> Citizen of Another State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 4 <input type="checkbox"/> 4	<input type="checkbox"/> Citizen or Subject of a Foreign Country	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 5 <input type="checkbox"/> 5		<input type="checkbox"/> 3 <input type="checkbox"/> 3	<input type="checkbox"/> 6 <input type="checkbox"/> 6		Incorporated or Principal Place of Business in this State			Incorporated and Principal Place of Business in Another State			Foreign Nation										
<input checked="" type="checkbox"/> Citizen of This State	PTF DEF	PTF DEF																													
<input type="checkbox"/> Citizen of Another State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 4 <input type="checkbox"/> 4																													
<input type="checkbox"/> Citizen or Subject of a Foreign Country	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 5 <input type="checkbox"/> 5																													
	<input type="checkbox"/> 3 <input type="checkbox"/> 3	<input type="checkbox"/> 6 <input type="checkbox"/> 6																													
	Incorporated or Principal Place of Business in this State																														
	Incorporated and Principal Place of Business in Another State																														
	Foreign Nation																														
<p>IV. ORIGIN (Place an X in one box only.)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"><input checked="" type="checkbox"/> 1 Original Proceeding</td> <td style="width: 25%;"><input type="checkbox"/> 2 Removed from State Court</td> <td style="width: 25%;"><input type="checkbox"/> 3 Remanded from Appellate Court</td> <td style="width: 25%;"><input type="checkbox"/> 4 Reinstated or Reopened</td> <td style="width: 25%;"><input type="checkbox"/> 5 Transferred from another district (specify):</td> <td style="width: 25%;"><input type="checkbox"/> 6 Multi-District Litigation</td> <td style="width: 25%;"><input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge</td> </tr> </table>		<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge																							
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge																									
<p>V. REQUESTED IN COMPLAINT: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Check 'Yes' only if demanded in complaint.)</p>																															
<p>CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>																															
<p style="text-align: center;">MONEY DEMANDED IN COMPLAINT: \$ _____</p>																															
<p>VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 21 U.S.C. § 881 (a) (2)</p>																															
<p>VII. NATURE OF SUIT (Place an X in one box only.)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; vertical-align: top;"> OTHER STATUTES <ul style="list-style-type: none"> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes </td> <td style="width: 25%; vertical-align: top;"> CONTRACT <ul style="list-style-type: none"> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise </td> <td style="width: 25%; vertical-align: top;"> TORTS <ul style="list-style-type: none"> PERSONAL INJURY <ul style="list-style-type: none"> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability BANKRUPTCY <ul style="list-style-type: none"> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights </td> <td style="width: 25%; vertical-align: top;"> PRISONER PETITIONS <ul style="list-style-type: none"> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition </td> <td style="width: 25%; vertical-align: top;"> FORFEITURE / PENALTY <ul style="list-style-type: none"> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 </td> <td style="width: 25%; vertical-align: top;"> LABOR <ul style="list-style-type: none"> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act </td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td> PROPERTY RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark </td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td> SOCIAL SECURITY <ul style="list-style-type: none"> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) </td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td> FEDERAL TAX SUITS <ul style="list-style-type: none"> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 </td> </tr> </table>		OTHER STATUTES <ul style="list-style-type: none"> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes 	CONTRACT <ul style="list-style-type: none"> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise 	TORTS <ul style="list-style-type: none"> PERSONAL INJURY <ul style="list-style-type: none"> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability BANKRUPTCY <ul style="list-style-type: none"> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights 	PRISONER PETITIONS <ul style="list-style-type: none"> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition 	FORFEITURE / PENALTY <ul style="list-style-type: none"> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 	LABOR <ul style="list-style-type: none"> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act 												PROPERTY RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark 						SOCIAL SECURITY <ul style="list-style-type: none"> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) 						FEDERAL TAX SUITS <ul style="list-style-type: none"> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
OTHER STATUTES <ul style="list-style-type: none"> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes 	CONTRACT <ul style="list-style-type: none"> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise 	TORTS <ul style="list-style-type: none"> PERSONAL INJURY <ul style="list-style-type: none"> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability BANKRUPTCY <ul style="list-style-type: none"> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights 	PRISONER PETITIONS <ul style="list-style-type: none"> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition 	FORFEITURE / PENALTY <ul style="list-style-type: none"> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 	LABOR <ul style="list-style-type: none"> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act 																										
					PROPERTY RIGHTS <ul style="list-style-type: none"> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark 																										
					SOCIAL SECURITY <ul style="list-style-type: none"> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) 																										
					FEDERAL TAX SUITS <ul style="list-style-type: none"> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 																										
<p>VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>																															
<p>If yes, list case number(s):</p>																															
<p>FOR OFFICE USE ONLY: Case Number: <u>SACVII-00357</u></p>																															

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: List the California County, or State if other than California, in which **EACH** named plaintiff resides (Use an additional sheet if necessary)
 Check here if the U.S. government, its agencies or employees is a named plaintiff.

Santa Ana

List the California County, or State if other than California, in which **EACH** named defendant resides. (Use an additional sheet if necessary).
 Check here if the U.S. government, its agencies or employees is a named defendant.

Santa Ana

List the California County, or State if other than California, in which **EACH** claim arose. (Use an additional sheet if necessary)
Note: In land condemnation cases, use the location of the tract of land involved.

Santa Ana

X. SIGNATURE OF ATTORNEY (OR PRO PER): P. Greg Parkman Date 3/4/11

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge James V. Selna and the assigned discovery Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

SACV11- 357 JVS (RNBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====
NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.